



July 26, 2024

Via Electronic Filing

Honorable Brian R. Martinotti, U.S.D.J.
United States District Court
District of New Jersey
U.S. Post Office & Courthouse
2 Federal Square
Newark, NJ 07102

**Re: *In re: Insulin Pricing Litigation*, No. 2:23-md-03080-BRM-RLS
MDL No. 3080**

Dear Judge Martinotti:

Pursuant to CMO #5, the parties provide the following status update for the weeks of July 15 and 22:

1. On June 28, counsel for the Self-Funded Payer Track provided a markup of Defendants' proposed Plaintiff Fact Sheet. The parties met and conferred on July 2. This afternoon, counsel for Defendants circulated a revised Self-Funded Payer Plaintiff Fact Sheet. Earlier this week, the Self-Funded Payer Track provided Defendants with proposed Defendant Fact Sheets directed to the PBMs and to the Manufacturers. The parties are planning to meet and confer regarding the fact sheets next week.
2. On July 23, the State of Mississippi filed its opposition to the Manufacturers' motion for judgment on the pleadings.
3. On July 24, Class Plaintiffs (TPP PBM, Direct Purchaser, and TPP Manufacturer) and Defendants filed a joint proposed schedule for the filing of a consolidated amended class action complaint and motions to dismiss. The Court adopted the parties' proposed schedule, which is triggered by a decision on consolidation, on July 25 [ECF No. 234]. Class Plaintiffs filed a pre-motion letter seeking consolidation on June 5 [ECF No. 195], which has not yet been ruled upon.
4. On July 25, in accordance with CMO #6 [ECF No. 128], the Self-Funded Payer Track served Defendants with opposition to the Manufacturers' and PBMs' motions to dismiss.
5. Lead Counsel for the State Attorney General Track continues to confer with counsel for the States of Louisiana and Indiana regarding leadership for the State AG Track.

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We thank the Court for its continuing attention to this matter.

Respectfully submitted,

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/s/ John D. Tortorella

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cc: Honorable Rukhsanah L. Singh, U.S.M.J. (via ECF)
Counsel of Record (via ECF)